

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: PACER FEE EXEPMTIONS)	
)	
CODY PLANTE,)	Misc. No. 2:09-239
(PACER Account xxxx070),)	
Movant.)	

ORDER

This matter is before the Court upon the Application by Cody Plante (“Plante”) for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts for access, via the Public Access to Court Electronic Records system (the “PACER System”), to the electronic case files maintained by this Court. (ECF No. 154, the “Application”). For the reasons that follow, Plante’s Application is denied, without prejudice.

First, this Court is unable to confirm that Plante is an individual researcher associated with an educational institution, thus placing him within the class of users who are eligible for a fee exemption. The email address that Plante includes on his Application does not associate him with Dartmouth College. An independent search of the institution’s website identifies a Cody M. Plante as a member of the college’s Project Management Services department, specializing in sustainability and strategic planning, and as a “coordinator” for Peter Ulric Tse, a Professor of Psychological and Brain Sciences at Dartmouth whose lab work focuses on consciousness and its neural bases. It is unclear from the information provided in the Application whether “Cody M. Plante” is the same individual who filed the Application. But even if he is, thus establishing a connection with Dartmouth College, these positions do not logically intersect with the research project described in the Application. Plante has not explained his status with the academic

institution other than to state that he is “a researcher” and indicate that he is working with other researchers on a project.

Second, the Application does not establish that the project for which Plante seeks an exemption is a scholarly research project, rather than a commercial endeavor. The Application describes the project as being aimed at creating a “software tool that uses machine learning algorithms to categorize and identify instances of specified behaviors” with the stated goal “to help organizations identify and address hate speech, sexual harassment, and other harmful acts within their controlled communication systems, such as email, Slack, etc.” (ECF #154 at 5). While decreasing occurrences of hate speech and harassment in society is a laudable goal that serves the public interest as a general matter, identification of a worthy goal does not make the project a scholarly research project that is eligible for an exemption from the payment of PACER fees.

Therefore, IT IS HEREBY ORDERED that the Application is DENIED and Plante is not eligible for the PACER Fee exemption based upon the information provided in the Application.

Dated: August 1, 2024

BY THE COURT:

/s/ Mark R. Hornak

Mark R. Hornak

Chief United States District Judge

cc: PACER Service Center (*via email*)
Administrative Office of the United States Courts,
Multi-Court Exemptions Office (*via email*)
Cody Plante (*via email*)